

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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)
HYDRO-PHOTON, INC.,)
Plaintiff,)
v.)
MERIDIAN DESIGN, INC.,)
Defendant.)
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)

C.A. No. 05-11240 GAO

**DEFENDANT MERIDIAN DESIGN, INC.'S MOTION FOR AN
EXTENSION OF TIME TO RESPOND TO PLAINTIFF HYDRO-
PHOTON, INC.'S CROSS MOTION FOR SUMMARY JUDGMENT**

Defendant Meridian Design, Inc. ("Meridian") moves for an extension of time of seven days, *up to and including December 19, 2005*, to respond to the cross motion for summary judgment of Plaintiff Hydro-Photon, Inc. ("Hydro-Photon"), which would otherwise be due this coming Monday, December 12, 2005. The additional time would permit counsel for Meridian to more fully investigate and respond to the arguments raised in Plaintiffs' cross motion for summary judgment of infringement.

The Court's previously scheduled hearing date of January 18, 2006 will not be affected by Meridian's proposed extension. Meridian further believes that no prejudice will be imposed upon plaintiffs and that the interests of justice and efficiency will be served by its requested short extension of time.

For the foregoing reasons, Defendant Meridian Design, Inc. respectfully requests that this Court grant the relief requested.

CERTIFICATE OF CONSULTATION PURSUANT TO L.R. 7.1

I certify that counsel for Meridian Design, Inc., Christopher Centurelli, conferred via email with John Capone, counsel for the plaintiff, on December 6 and 7, 2005 in an attempt to resolve or narrow the issues presented by this motion. Unfortunately, the parties were unable to reach an agreement.

Dated: December 7, 2005

Respectfully submitted,

/s/Christopher Centurelli

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